

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Economic Development and Technology, to which was referred House Bill No. 1137, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1       Page 6, line 19, delete "and".
- 2       Page 6, line 20, delete "networks." and insert "**networks;**".
- 3       Page 6, between lines 20 and 21, begin a new line block indented
- 4       and insert:
- 5               **"(4) data input and storage; and**
- 6               **(5) information system applications."**
- 7       Page 6, line 40, delete "Align" and insert "**Establish the standards**
- 8       **for"**.
- 9       Page 6, delete lines 41 through 42.
- 10      Page 7, line 1, delete "(3)" and insert "**(2)**".
- 11      Page 7, line 4, delete "(4)" and insert "**(3)**".
- 12      Page 7, line 4, after "best" insert "**and most appropriate**".
- 13      Page 7, line 6, delete "(5)" and insert "**(4)**".
- 14      Page 7, line 8, delete "(6)" and insert "**(5)**".
- 15      Page 7, line 8, delete "Make it easy" and insert "**Provide for the**
- 16      **technology and procedures"**.
- 17      Page 7, line 13, delete "all".
- 18      Page 7, line 14, after "technology" insert "**at the request of the**
- 19      **budget agency"**.
- 20      Page 7, line 16, after "of" insert "**significant**".
- 21      Page 7, line 18, delete "known as accessIndiana".

- 1 Page 7, line 19, delete "solely".
- 2 Page 7, line 19, delete "the carrying out of the".
- 3 Page 7, line 20, delete "essential".
- 4 Page 7, line 21, delete "each".
- 5 Page 7, line 22, delete "agency" and insert "**agencies.**".
- 6 Page 7, line 22, delete "in conjunction with the information
- 7 technology".
- 8 Page 7, delete lines 23 through 24.
- 9 Page 7, line 25, delete "any service provided by the office,
- 10 including" and insert "**services that may be requested by**".
- 11 Page 7, delete line 26.
- 12 Page 7, line 27, delete "officer, upon request to".
- 13 Page 7, line 36, delete "Monitor state agency information technology
- 14 activities." and insert "**Review projects, architecture, security,**
- 15 **staffing, and expenditures.**".
- 16 Page 7, line 40, delete "Develop and maintain guidelines for the
- 17 hiring of" and insert "**Advise the state personnel department on**
- 18 **guidelines for information technology staff for state agencies.**".
- 19 Page 7, delete line 41.
- 20 Page 8, line 1, after "agencies" insert "**upon request**".
- 21 Page 8, line 10, after "other" insert "**information technology**".
- 22 Page 8, line 11, delete "chief information officer of the office
- 23 appointed under" and insert "**governor.**".
- 24 Page 8, delete line 12.
- 25 Page 8, line 20, delete "of all" and insert "**for**".
- 26 Page 8, line 22, delete "in the areas of:".
- 27 Page 8, delete lines 23 through 26.
- 28 Page 8, run in lines 22 through 27.
- 29 Page 8, line 27, delete "all".
- 30 Page 8, line 27, delete "areas and".
- 31 Page 8, delete lines 29 through 42.
- 32 Page 9, delete lines 1 through 19.
- 33 Page 9, line 20, delete "(h)" and insert "**Sec. 4.**".
- 34 Page 9, line 20, delete "council" and insert "**office**".
- 35 Page 9, line 20, delete "a".
- 36 Page 9, line 20, delete "fee" and insert "**fees**".
- 37 Page 9, line 21, delete "user" and insert "**revenues**".
- 38 Page 9, delete line 22.
- 39 Page 9, lines 23, delete "established under this section is" and insert
- 40 "**are**".
- 41 Page 9, line 25, delete "(a)".
- 42 Page 9, line 26, after "office" insert "**when directed by the**

- 1 **governor".**
- 2 Page 9, delete lines 27 through 42.
- 3 Page 10, delete lines 1 through 10.
- 4 Page 10, line 11, delete "require" and insert **"request"**.
- 5 Page 10, line 15, delete "shall" and insert **"may"**.
- 6 Page 10, line 18, delete "information technology resource".
- 7 Page 10, line 18, after "inventory" insert **"of all significant**
- 8 **information technology hardware, software, personnel, and**
- 9 **information technology contracts."**
- 10 Page 10, delete lines 19 through 20.
- 11 Page 10, line 21, delete "(a)".
- 12 Page 10, line 21, delete "one (1) or more" and insert **"a"**.
- 13 Page 10, line 21, delete "funds" and insert **"fund"**.
- 14 Page 10, delete lines 23 through 24.
- 15 Page 10, line 25, delete "The" and insert **"If requested by a**
- 16 **political subdivision, the"**.
- 17 Page 10, line 26, delete "Develop an overall strategy and
- 18 architecture for the use of" and insert **"Subject to the approval of the**
- 19 **budget agency, develop a schedule of fees for agencies using**
- 20 **services of the office."**
- 21 Page 10, delete line 27.
- 22 Page 10, line 28, delete "the operations".
- 23 Page 10, line 29, delete "of the various".
- 24 Page 10, line 29, delete "systems used by a" and insert **"systems."**
- 25 Page 10, delete line 30.
- 26 Page 10, line 31, delete "services to" and insert **"services."**
- 27 Page 10, delete line 32.
- 28 Page 10, line 33, delete "a political subdivision's".
- 29 Page 10, line 34, delete "information technology expenditures if"
- 30 and insert **"expenditures."**
- 31 Page 10, delete line 35.
- 32 Page 10, line 39, delete "require" and insert **"request"**.
- 33 Page 11, delete lines 1 through 5.
- 34 Page 11, line 6, delete "(d)" and insert **"(c)"**.
- 35 Page 11, line 8, delete "government with" and insert **"government."**
- 36 Page 11, delete lines 9 through 10.
- 37 Page 11, line 12, delete "The office shall develop standards that are
- 38 compatible" and insert **"The office shall appoint a group to develop**
- 39 **standards that are compatible with principles and goals contained**
- 40 **in the electronic and information technology accessibility standards**
- 41 **adopted by the architectural and transportation barriers**
- 42 **compliance board under Section 508 of the federal Rehabilitation**

Act of 1973 (29 U.S.C. 794d), as amended. The office shall adopt rules under IC 4-22-2 concerning the standards developed under this section. Those standards must conform with the requirements of Section 508 of the federal Rehabilitation Act of 1973 (29 U.S.C. 794d), as amended.

(b) The group shall consist of at least the following:

(1) A representative of an organization with experience in and knowledge of assistive technology policy.

(2) An individual with a disability.

(3) Representatives of the judicial and legislative branches of state government.

(4) Representatives of the administrative branch of state government.

(5) At least three (3) representatives of local units of government.

(c) If an agency cannot immediately comply with the information technology accessibility standards, the agency shall submit a plan for undue burden with timelines for compliance. The plan must provide alternative means for accessibility during the period of noncompliance.

(d) Notwithstanding any other law, the standards developed under subsection (a) apply to the executive, legislative, judicial, and administrative branches of state and local government."

Page 11, delete lines 13 through 42.

Page 12, delete lines 1 through 11.

Page 29, line 9, delete "office of technology" and insert "**the coordinating unit established under IC 20-12-12-3**".

Page 29, line 22, delete ", which must include the chief" and insert ". "

Page 29, delete line 23.

Page 29, delete lines 41 through 42.

Page 30, delete lines 1 through 4.

Page 30, line 5, reset in roman "(b)".

Page 30, line 5, delete "(c)".

Page 30, line 8, reset in roman "(c)".

Page 30, line 8 delete "(d)".

Page 30, line 11, reset in roman "(d)".

Page 30, line 11, delete "(e)".

Page 35, line 9, delete "IC 5-21" and insert "IC 5-21-6".

Page 35, line 16, after "commission;" insert "**or**".

Page 35, delete line 17.

Page 35, line 18, delete "(4)" and insert "**(3)**".

- 1 Page 35, line 24, after "commission;" insert "**or**".
- 2 Page 35, delete line 25.
- 3 Page 35, line 26, delete "(4)" and insert "**(3)**".
- 4 Page 35, line 32, after "commission;" insert "**or**".
- 5 Page 35, delete line 33.
- 6 Page 35, line 34, delete "(4)" and insert "**(3)**".
- 7 Page 35, line 40, after "fund;" insert "**and**".
- 8 Page 35, delete line 41.
- 9 Page 35, line 42, delete "(4)" and insert "**(3)**".
- 10 Page 36, line 1, delete "one (1) or more rotary funds" and insert "**a**
- 11 **rotary fund**".
- 12 Page 36, line 3, delete "or rotary funds are" and insert "**is**".
- 13 Page 36, between lines 4 and 5, begin a new paragraph and insert:
- 14 "**(e) Funds not exceeding five million dollars (\$5,000,000) in any**
- 15 **fund or account of intelenet or the enhanced access review**
- 16 **committee shall be transferred to the office of technology. Funds in**
- 17 **excess of five million dollars (\$5,000,000) shall be transferred to the**
- 18 **state general fund.**".
- 19 Page 36, line 5, delete "(e)" and insert "**(f)**".
- 20 Page 36, line 8, after "commission;" insert "**or**".
- 21 Page 36, delete line 9.
- 22 Page 36, line 10, delete "(4)" and insert "**(3)**".
- 23 Page 36, line 13, delete "(f)" and insert "**(g)**".
- 24 Page 36, after line 13, begin a new paragraph and insert:
- 25 "**SECTION 42. [EFFECTIVE JULY 1, 2005] (a) It is the intent of**
- 26 **the general assembly that IC 4-13.1 contains the complete law of**
- 27 **the state governing the office of technology. The office of**
- 28 **technology created under executive order 05-17 ceases to exist in**
- 29 **compliance with section 15 of executive order 05-17.**
- 30 **(b) After June 30, 2005, no funds may be expended and no**
- 31 **actions may be taken by the office of technology created under**
- 32 **executive order 05-17.**
- 33 **(c) After June 30, 2005, a reference in any law, rule, contract, or**
- 34 **other document or record to the office of technology established**
- 35 **under executive order 05-17 shall be treated as a reference to the**
- 36 **office of technology established by IC 4-13.1-2-1, as added by this**
- 37 **act.**
- 38 **(d) On July 1, 2005, the property and obligations of the office of**
- 39 **technology established under executive order 05-17 are transferred**
- 40 **to the office of technology established by IC 4-13.1-2-1, as added by**
- 41 **this act.**
- 42 **(e) An action taken by the office of technology established under**

1 executive order 05-17 before July 1, 2005, shall be treated after  
2 June 30, 2005, as if the action had been taken originally by the  
3 office of technology established by IC 4-13.1-2-1, as added by this  
4 act.

5 (f) Money that is in any fund or account administered by the  
6 office of technology established under executive order 05-17 shall  
7 be transferred to the office of technology established by  
8 IC 4-13.1-2-1, as added by this act.

9 (g) On July 1, 2005, individuals who were employees of the office  
10 of technology established under executive order 05-17 on June 30,  
11 2005, become employees of the office of technology established by  
12 IC 40-13.1-2-1, as added by this act.

13 (h) This SECTION expires July 1, 2006."

14 Renumber all SECTIONS consecutively.

(Reference is to HB 1137 as reprinted February 8, 2005.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 7, Nays 0.

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**Senator Ford, Chairperson**